

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA,

Plaintiff,

v.

WILLIAMS BROTHER, INC., et al.,

Defendants.

2:12-cv-0058-LDG-RJJ

ORDER

After a hearing on July 10, 2013, the court continued to July 18, 2013, the consideration of plaintiff Travelers' motion for preliminary injunction freezing all assets of the indemnitor defendants (#225), and the supplemental points and authorities the court ordered to be filed (#242). The parties have filed their supplemental briefs (#247 and #249). On July 16, 2013, defendants Peek Construction, ECCL Holdings, LLC, and BLC Nevada Trust (the "corporate defendants"), filed an emergency motion to set aside default judgment and judgment dismissing counterclaims (#248).

Of necessity, the motion to set aside the judgments against the corporate defendants and the dismissal of their counterclaims should be resolved before proceeding with consideration of the preliminary injunctive relief. Accordingly, the court will vacate the continued preliminary

1 injunction hearing, order responsive briefing on the motion to set aside, and rule on the motion to
2 set aside before rescheduling the continuation of the preliminary injunction hearing.

3 Furthermore, in reviewing the supplemental briefing, the court finds no reason at this time
4 to disturb the temporary restraining order pending resolution of the request for preliminary
5 injunction. However, the court will permit the parties to respond to the supplemental briefs.

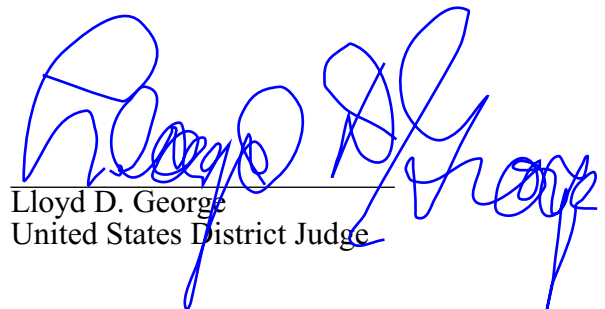
6 THE COURT HEREBY ORDERS that the continued preliminary injunction hearing
7 scheduled for July 18, 2013, is VACATED.

8 THE COURT FURTHER ORDERS that plaintiff Travelers shall file any response to the
9 motion to set aside by July 22, 2013, and the corporate defendants shall file any reply by July, 24,
10 2013.

11 THE COURT FURTHER ORDERS that the parties shall file any responsive briefs to the
12 supplemental briefing by July 22, 2013.

13 THE COURT FURTHER ORDERS that the temporary restraining order issued on
14 July 11, 2013, shall remain in effect until resolution of the request for preliminary injunctive relief.

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16 Dated this 17 day of July, 2013.

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19 Lloyd D. George
20 United States District Judge
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